

**ZONING COMMITTEE
RECOMMENDATION
February 27, 2008**

Rezoning Petition No. 2007-131

Property Owner: Leon Shanklin

Petitioner: Leon Shanklin

Location: Approximately 0.97 acres located on the northeast corner of South Tryon Street and East Peterson Drive.

Center, Corridor or Wedge: Corridor

Request: R-8, single-family to MUDD(CD), mixed-use development district conditional district

Action: The Zoning Committee voted 4-2 to recommend **APPROVAL** of this petition.

Vote:

Yeas:	Howard, Loflin, Rosenburgh, and Sheild
Nays:	Lipton and Johnson
Absent:	Randolph

Summary of Petition

This request would allow the development of a 10,000 square foot mixed use building with up to 8,500 square feet of office/residential and a 1,500 square foot catering use.

Zoning Committee Discussion/Rationale

Mr. Manes summarized the request and noted that the mixed use development is not consistent with the *Central District Plan*, which specifies residential use on this site. However, once adopted, the recommendations in the draft *Scaleybark Station Area Plan* will update the *Central District Plan* recommendations, possibly to include office uses designed in a way to be compatible with adjoining single-family residential. The proposed request also allows a small catering component, which staff feels would be an appropriate mixed use.

The Zoning Committee discussed this type of use adjoining residential development and the need for a buffer. Mr. Manes replied that the petitioner was installing a fence along the property line with the adjoining residential site.

Statement of Consistency

Upon a motion made by Commissioner Shield, seconded by Commissioner Rosenburgh, the Zoning Committee unanimously found this proposal to be inconsistent with the *Central District Plan* and consistent with the *Draft Scaleybark Station Area Plan*, and reasonable and in the public interest.

Vote

Upon a motion by Commissioner Loflin, seconded by Commissioner Johnson, the Zoning Committee voted 4-2 to recommend APPROVAL this request.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.

Minority Opinion

A minority of the Zoning Committee felt the proposed office building would impact the adjoining single family residential without proper buffering.